

REMARKS

Claims 2-6, 8, 9, 11 and 13-15 are pending in this application. Claims 2-6, 8 and 9 have been withdrawn from consideration following a restriction requirement. Claims 11 and 13 are amended. New claim 23 is submitted. The amendments do not add new matter, and entry at this time is proper as the amendments are made to place the application in condition for allowance, or better form for appeal. Applicants respectfully request that the Examiner enter the amendments.

Favorable reconsideration and allowance of the present patent application respectfully are requested. The amendment, in conjunction with the following remarks, is believed to place the application in immediate condition for allowance. Accordingly, entry of the amendment and favorable reconsideration of the application are respectfully requested.

Though claims 11 and 13 are amended, Applicants do not concede that the Office Action's statutory rejections are proper. The amendment is understood to not narrow the scope of the claimed invention, nor have they been made for reasons related to patentability. Rather, the amendment is made to clarify embodiments of the present invention. Thus, in future construction or interpretation, the amended claims should be entitled to a full range of equivalents.

Applicants note that the Examiner acknowledges the claim made for domestic priority under 35 U.S.C. § 120 and/or 121. Applicants also note that the Examiner indicates that claim 14 is in proper form and has been examined.

Office Action

Claims 13 and 14 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,145,648 (Teichman et al.) Claim 11 stands rejected under 35 U.S.C. § 103(a) as allegedly rendered obvious by Teichman in view of U.S. Patent No. 5,976,306 (Davis et al.). Claim 15 stands rejected under 35 U.S.C. § 103(a) as allegedly rendered obvious by Teichman in view of U.S. Patent No. 3,762,213 (Nowicki). Applicants respectfully traverse the rejections in view of the foregoing amendments and the following remarks.

Claims 13 and 14 Are Not Anticipated

Claims 13 and 14 are rejected as allegedly anticipated by Teichman. The rejection is respectfully traversed.

To anticipate, the applied art must disclose each and every element of the claimed invention. Applicants submit that Teichman does not disclose each and every element of claims 13 and 14. Specifically, Teichman does not disclose, at the least,

the features of an optical interface located a fixed distance above the top surface of the optical platform or the optical module carrier positioning the optical device at a second distance above the optical platform corresponding to the fixed first distance.

Teichman relates to a method and system for continuously processing successive workpieces along a production line. Referring to Figures 1a to 1f, a PCB 12a is extracted by loader 11 and is transported by loader 11 to conveyor belt 19 of feeder 21. Rollers 17 and 18 transports conveyor belt 19 to feed PCB 12a towards inspection system 14. Loader 11 is returned to its initial loading position to extract second PCB 12b. PCB 12a is brought into registration with conveyor 13, and conveyor 13 is lifted to lift PCB 12a from conveyor belt 19. Teichman, however, does not disclose an optical device interface located a fixed first distance above the top surface of the optical platform, or an optical module carrier positioning the optical device, or PCB 12a, at a second distance above the optical platform.

In contrast, claim 13 recites "an optical device interface located a fixed first distance above the top surface of the optical platform." Claim 13 also recites "said optical module carrier positioning said optical device at a second distance

above the optical platform corresponding to the fixed first distance." Teichman does not disclose any interfaces being a fixed distance within inspection system 14. Further, Teichman does not disclose conveyer 13 positioning the PCBs at a second distance above the platform corresponding to a first fixed distance. Applicants submit that Teichman is silent on distances within inspection system 14.

The claimed invention recites a fixed first distance and a second distance for inspecting an optical device on an optical module. Teichman does not disclose using distances to inspect the PCBs in inspection system 14. The claimed invention uses the distances to ensure that the optical device is aligned properly within the optical inspection apparatus for proper inspection and to prevent damage to the optical device. For at least these reasons, Teichman does not disclose these features. Thus, Teichman does not disclose each and every element of claims 13 and 14. Applicants respectfully request that the Examiner withdraw the anticipation rejection.

Obviousness

Claim 11 is rejected as allegedly rendered obvious by Teichman in view of Davis. Claim 15 is rejected as allegedly rendered obvious by Teichman in view of Nowicki. The rejections are respectfully traversed.

To establish obviousness, the Office Action must meet three basic criteria. First, there must be some suggestion or motivation, either in the references themselves, or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claimed limitations. MPEP 2143. Applicants respectfully maintain that the Office Action fails to establish obviousness with respect to claims 11 and 15.

Claim 11

Claim 11 is rejected as allegedly rendered obvious by Teichman in view of Davis. Specifically, the Office Action alleges that Teichman discloses the claimed invention "except that the platform is coated with silicone based coating." The Office Action then alleges that Davis recites this feature. Applicants respectfully traverse the rejection to claim 11.

As noted above, the applied art must teach or suggest all the claimed limitations. Applicants submit that neither Teichman nor Davis, alone or in combination (assuming the applied art may be combined, which Applicants do not admit), disclose or suggest all the features of the claimed invention. Teichman, as discussed above, does not disclose the features of a fixed first distance and a second distance for inspecting an optical device on an optical module. Applicants further submit that Teichman does not suggest the features as well. In fact, Teichman does not discuss using distances in its inspection system 14.

Applicants submit that Davis does not make up for the deficiencies of Teichman. Davis relates to a method and apparatus for removing die from an expanded wafer and conveying die to a pickup location. The Office Action alleges that Davis discloses the platform is coated with silicone based coating. Applicants submit that the feature of silicone based coating on the platform does not disclose or suggest "an optical device interface located at a fixed first distance above the top surface of said optical platform" or "said optical module carrier positioning said optical device at a second distance above the optical platform corresponding to the fixed first

distance," as recited in claim 11. Thus, the applied art does not disclose or suggest all the claimed limitations.

Further, the Office Action does not provide any evidence of a motivation to combine the applied art, either within the applied art or in the knowledge generally available to one skilled in the art. Applicants submit that one skilled in the art would not be motivated to combine the PCB inspection system of Teichman with the chip feeder of Davis that transports die to a pickup location while the pick-head assembly is removing more die from a wafer. Thus, for at least these reasons, Applicants submit that the applied art does not render claim 11 obvious. Applicants respectfully request that the Examiner withdraw the obviousness rejection to claim 11.

Claim 15

Claim 15 is rejected as allegedly rendered obvious by Teichman in view of Nowicki. Specifically, the Office Action alleges that Teichman discloses the claimed invention "except the rollers hav[ing] springs." The Office Action then alleges that Nowicki recites this feature. Applicants respectfully traverse the rejection to claim 15.

As noted above, the applied art must teach or suggest all the claimed limitations. Applicants submit that neither Teichman nor Nowicki, alone or in combination (assuming the

applied art may be combined, which Applicants do not admit), disclose or suggest all the features of the claimed invention. Teichman, as discussed above, does not disclose the features of a fixed first distance and a second distance for inspecting an optical device on an optical module with regard to claim 13. Claim 15 depends from claim 13.

Applicants submit that Nowicki does not make up for the deficiencies of Teichman. Nowicki relates to a leak detector. The Office Action alleges that Nowicki discloses springs for a roller. Applicants submit that the feature of springs for a roller does not disclose or suggest "an optical device interface located at a fixed first distance above the top surface of said optical platform" or "said optical module carrier positioning said optical device at a second distance above the optical platform corresponding to the fixed first distance," as recited in claim 13. Thus, the applied art does not disclose or suggest all the claimed limitations.

Further, the Office Action does not provide any evidence of a motivation to combine the applied art, either within the applied art or in the knowledge generally available to one skilled in the art. Applicants submit that one skilled in the art would not be motivated to combine the PCB inspection system

of Teichman with the leak detector of Nowicki that detects leaks in plastic bottles.

Moreover, as stated above, claim 15 depends from independent claim 13. If an independent claim is not obvious, then any claim depending from the independent claim is not obvious. MPEP 2143.03. Thus, for at least these reasons, Applicants submit that claim 15 is not rendered obvious by the applied art. Applicants respectfully request that the Examiner withdraw the obviousness rejection to claim 15.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact William F. Nixon (Reg. No. 44,262) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/592,393

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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